

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

District Court File No. 10-cr-00280 (RHK/JJG)

United States of America,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>SENTENCING POSITION OF</b>
	)	<b>THE UNITED STATES</b>
	)	
Jeremey Parker,	)	
	)	
Defendant	)	

The United States of America, by and through its attorneys, B. Todd Jones, United States Attorney for the District of Minnesota, and Assistant United States Attorney John Docherty, respectfully submits its Sentencing Position in this case.

The defendant has pleaded guilty to a single count of wire fraud, in violation of Title 18, United States Code, Section 1343. Given the loss amount and the defendant's criminal history, the presumptive guidelines sentence is 30 to 37 months.

The Court ordered the preparation of a presentence investigation report. The government has received and reviewed that report, and has no issues with either the facts set forth in that report, or with the guidelines calculations.

The government is not aware of any reason to impose anything other than a guidelines sentence in this case. The investigative materials, the colloquy at the change of plea hearing, and the report of presentence investigation all show a straightforward

hacking into two computer systems, which resulted in a loss that could be quantified. The one factor that distinguishes this defendant's conduct, his use of sophisticated hacking means, is already taken account of by the guidelines, and is part of the plea agreement.

The crime in this case was serious, and should be met with a term of incarceration. At the same time, Mr. Parker is a young man of obviously high, if misdirected, intelligence. It is to be hoped that a term of imprisonment, and the ability to avail himself of programming available through the Bureau of Prisons, will allow him to re-orient himself, and begin using his obvious intellectual gifts for productive, affirmative purposes.

The United States, for these reasons, respectfully asks for a sentence of between 30 and 37 months' imprisonment. The government also seeks an Order of Restitution, pursuant to Title 18, United States Code, Section 3663A, in the amount of \$340,794.67, of which \$274,394.67 is payable to victim Digital River and \$66,400 is payable to victim National Aeronautics and Space Administration.

Respectfully Submitted,

B. TODD JONES  
United States Attorney

s/ John Docherty

BY: JOHN DOCHERTY  
Assistant U.S. Attorney  
Attorney ID No. 17516X